



cket No.: 240443US3

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/618,587
Applicants: Chuji ISHIKAWA, et al.
Filing Date: July 15, 2003
For: TEMPERATURE DETECTING UNIT
AND FIXING APPARATUS
Group Art Unit: 2859
Examiner: VERBITSKY, G.



ATTORNEYS AT LAW

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SIR:

Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Our check in the amount of **\$0.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

Chuji ISHIKAWA, et al. : EXAMINER: VERBITSKY, G.
SERIAL NO: 10/618,587 :
FILED: July 15, 2003 : GROUP ART UNIT: 2859
FOR: TEMPERATURE DETECTING :
UNIT AND FIXING
APPARATUS

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313-1450

SIR:

In response to the Restriction/Election Requirement dated July 1, 2004, the Applicants elect with traverse the invention of Group I, and elect with traverse the Species 3B, corresponding to Claim 22, Species 4B, corresponding to Claim 3, Species 5A corresponding to Claim 5, Species 6A corresponding to Claim 7, and Species 7B corresponding to Claim 20. Claims 1 and 18 were identified as being generic to one or more of the species.

The Applicants respectfully traverse the restriction requirement based on MPEP § 803, which states:

... If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

The claims of the present invention would appear to be part of an overlapping search area.

Application Serial No.: 10/618,587
Response dated August 2, 2004
Reply to Restriction/Election Requirement
dated July 1, 2004

Accordingly, the Applicants respectfully traverse the outstanding restriction requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

Therefore, it is respectfully requested that the requirement to elect a single invention be withdrawn, and that a full examination on the merits of Claims 1-23 be conducted.

Respectfully Submitted,

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